

09-16-04
Express Mail Cert. No.
EV 463 356 412 US



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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/801,140	03/12/2004	Chris D. DiFrancesco	54673/297873

Charles W. Calkins, Esq.
Kilpatrick Stockton LLP
1001 West Fourth St.
Winston-Salem, NC 27101



CONFIRMATION NO. 2231

FORMALITIES LETTER



OC000000012831498

Date Mailed: 06/01/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$2130 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$3030 for a Large Entity

	09/17/2004 AMONDAF1 00000023 10801140	
• \$770 Statutory basic filing fee.	01 FC:1001	770.00 OP
• \$130 Late oath or declaration Surcharge.	02 FC:1051	130.00 OP
	03 FC:1201	688.00 OP
	04 FC:1202	1152.00 OP
	05 FC:1203	290.00 OP

• Total additional claim fee(s) for this application is **\$2130**

- **\$688** for 8 independent claims over 3.
- **\$1152** for 64 total claims over 20.
- **\$290** for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



EXPRESS MAIL CERTIFICATE

"Express Mail" Label No. : EV 463 356 412 US

Serial No. : 10/801,140

Applicant(s) : DiFrancesco et al.

Filing Date : March 12, 2004

Title: : CATALYST SYSTEMS

Examiner : Not Yet Assigned

Group Art Unit : 1754

Type of Document(s) : Express Mail Certificate;
Transmittal Form;
Fee Transmittal for FY 2004 (*in duplicate*);
Check # 371553 in for \$3,410
Response to Notice to File Missing Parts (*in duplicate*);
Original Notice to File Missing Parts from USPTO;
Declaration (3 pages);
Power of Attorney (3 pages);
Petition for 2 Month Extension of Time Pursuant
To CFR § 1.136(a);
Filing Receipt Corrections; and
Return Postcard

I hereby certify that the documents identified above are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and are addressed to Mail Stop Missing Parts, Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450.

Carol McCabe (signature)
Carol McCabe

Date Mailed: September 15, 2004

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/801,140
	Filing Date	March 12, 2004
	First Named Inventor	DiFrancesco et al
	Art Unit	1754
	Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	Attorney Docket Number	54673-297873

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): See Remarks Below		
<table border="1"><tr><td>Remarks</td><td>Express Mail Cert. No. EV 463 356 412 US; Original Notice to File Missing Parts from USPTO; Declaration (3 pgs.); Power of Attorney (3 pgs); Filing Receipt Corrections & Return Postcard</td></tr></table>			Remarks	Express Mail Cert. No. EV 463 356 412 US; Original Notice to File Missing Parts from USPTO; Declaration (3 pgs.); Power of Attorney (3 pgs); Filing Receipt Corrections & Return Postcard
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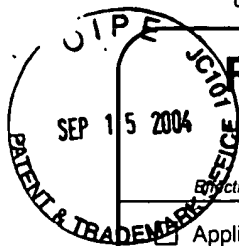
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	J. Clinton Wimbish; Reg. No. 54,545, Kilpatrick Stockton LLP
Signature	
Date	September 15, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name			
Signature		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 3450

Complete If Known	
Application Number	10/801,140
Filing Date	March 12, 2004
First Named Inventor	DiFrancesco et al.
Examiner Name	Not Yet Assigned
Art Unit	1754
Attorney Docket No.	54673-297873

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																																																																																			
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: 16-1435 Deposit Account Name: Kilpatrick Stockton LLP The Director is authorized to: (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>1051</td> <td>130</td> <td>2051</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td>130</td> </tr> <tr> <td>1052</td> <td>50</td> <td>2052</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet.</td> <td></td> </tr> <tr> <td>1053</td> <td>130</td> <td>1053</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>1812</td> <td>2,520</td> <td>1812</td> <td>2,520</td> <td>For filing a request for reexamination</td> <td></td> </tr> <tr> <td>1804</td> <td>920*</td> <td>1804</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>1805</td> <td>1,840*</td> <td>1805</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>1251</td> <td>110</td> <td>2251</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>1252</td> <td>420</td> <td>2252</td> <td>210</td> <td>Extension for reply within second month</td> <td>420</td> </tr> <tr> <td>1253</td> <td>950</td> <td>2253</td> <td>475</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>1254</td> <td>1,480</td> <td>2254</td> <td>740</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>1255</td> <td>2,010</td> <td>2255</td> <td>1,005</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>1401</td> <td>330</td> <td>2401</td> <td>165</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>1402</td> <td>330</td> <td>2402</td> <td>165</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>1403</td> <td>290</td> <td>2403</td> <td>145</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>1451</td> <td>1,510</td> <td>1451</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>1452</td> <td>110</td> <td>2452</td> <td>55</td> <td>Petition to revive - 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late filing fee or oath	130	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	420	2252	210	Extension for reply within second month	420	1253	950	2253	475	Extension for reply within third month		1254	1,480	2254	740	Extension for reply within fourth month		1255	2,010	2255	1,005	Extension for reply within fifth month		1401	330	2401	165	Notice of Appeal		1402	330	2402	165	Filing a brief in support of an appeal		1403	290	2403	145	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,330	2453	665	Petition to revive - unintentional		1501	1,330	2501	665	Utility issue fee (or reissue)		1502	480	2502	240	Design issue fee		1503	640	2503	320	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)		1806	180	1806	180	Submission of Information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of properties)		1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))		1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))		1801	770	2801	385	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application	
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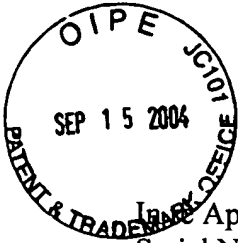
**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY		Complete (if applicable)			
Name (Print/Type)	J. Clinton Wimbish	Registration No. (Attorney/Agent)	54,545	Telephone	336.607.7300
Signature		Date	September 15, 2004		

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Instant Application of	:	DiFrancesco et al.
Serial No.	:	10/801,140
For	:	Catalyst Systems
Filed	:	March 12, 2004
Examiner	:	To Be Assigned
Art Unit	:	1754

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS

Dear Sir,

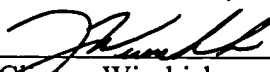
Enclosed herewith for filing in the above-referenced application are copies of the following documents:

1. NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION;
2. Declaration;
3. Power of Attorney
3. Petition for 2-Month Extension of Time Pursuant to 37 C.F.R. § 1.136(a)
4. Check in the Amount of \$3450.00 covering:
 - a. \$770.00 Statutory Basic Filing Fee
 - b. \$130.00 Late Oath or Declaration Surcharge
 - c. \$688.00 for 8 Independent Claims over 3
 - d. \$1152.00 for 64 total claims over 20
 - e. \$290.00 for Multiple Dependent Claim Surcharge
 - f. \$420.00 for 2-month Extension of Time

The Commissioner is hereby authorized to charge any additional fees required by this action, or credit any overpayment to Deposit Account No. 16-1435. A duplicate of this sheet is attached for that purpose.

Respectfully submitted,

9/15/04
Date


J. Clinton Wimbish
Reg. No. 54,545

Kilpatrick Stockton LLP